

Application No.: 10/614,886  
Amendment dated: November 12, 2004  
Reply to Office Action of: October 19, 2004

**REMARKS/ARGUMENTS**

Examiner had identified 2 species of the claimed invention:

Species I, drawn to Figure 1; and

Species II, drawn to Figure 2.

Applicant provisionally elects Species I, drawn to Figure 1 with traverse. The only difference between Species II and I is the additional packaging of Species II enclosing the swab applicator.

In Species I and II identified by the examiner, the swab packaging with separated liquid and dry compound comprises of a swab applicator comprising an elongated tubular housing with liquid enclosed within the hollow interior of the elongated tubular housing with an opening means to release the liquid activator to an applicator tip affixed to one end of the elongated tubular housing wherein the swab applicator is sealed in a package with the dry compound form of a chemical or medication sealed in or around the applicator tip is the generic form of the invention.

Applicant respectfully requests that the restriction requirement be reconsidered and withdrawn and a timely Notice of Allowance be issued in this case.

Respectfully submitted,

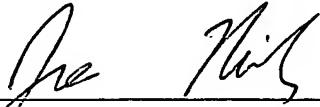


Joe Nieh  
Registration Number: 46,961  
18760 E. Amar Road, #204  
Walnut, CA 91789  
Tel: (626) 964-4227  
Fax: (626) 854-5717  
E-Mail: [nieh@justice.com](mailto:nieh@justice.com)

Application No.: 10/614,886  
Amendment dated: November 12, 2004  
Reply to Office Action of: October 19, 2004

**Certificate of Mailing:** I certify that on the date below this document and referenced attachments, if any, will be deposited with the U.S. Postal Service by 1<sup>st</sup> Class Mail in an envelope addressed to: "Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450."

November 12, 2004

  
\_\_\_\_\_  
Joe Nieh  
Registration Number: 46,961  
18760 E. Amar Road, #204  
Walnut, CA 91789  
Tel: (626) 964-4227  
Fax: (626) 854-5717  
E-Mail: [nieh@justice.com](mailto:nieh@justice.com)